

United States District Court
Northern District of Illinois
Eastern Division

Green

JUDGMENT IN A CIVIL CASE

v.

Case Number: 09 C 616

The UPS Health and Welfare

- ☐ Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict.
- ☒ Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED that the Court finds in favor of plaintiffs and against defendants. Defendants are enjoined, until further order of court, from collecting additional contributions from Local 705 retirees for health insurance coverage under the UPS Health and Welfare Package for Retired Employees ("Plan") in excess of the minimum contribution required for all retiree participants under the Summary Plan Description. Defendants are directed to credit any amounts that a Local 705 retiree paid in excess of \$50 per month from January 1, 2009 through the present, including interest at five percent per annum from the date of payment, against that retiree's future contributions under the Plan, and are directed to account to plaintiffs' counsel at sixty day intervals regarding the application of such credits. Defendants may calculate the interest due from the date the payments were received through the date the credit will be exhausted and issue a check to each class member for that amount. Defendants are directed to notify each Local 705 retiree of this Court's decision and are directed to advise any Local 705 retiree who did not pay amounts charged in excess of \$50 per month since January 1, 2009 that he or she has thirty days from the date notice is sent to become current by paying any arrearage that would have arisen based on a charge of \$50 per month.

Michael W. Dobbins, Clerk of Court

Date: 6/5/2009

/s/ Olga Rouse, Deputy Clerk